

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGAN ART FOUNDATION LIMITED,

Plaintiff,

v.

MICHAEL MCKENZIE,

Defendant.

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 11/12/2021

18-CV-4438 (AT) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

Michael McKenzie has filed a notice (Dkt. No. 451) attesting that Osvaldo Gonzalez was personally served, on October 28, 2021, with McKenzie's motion to compel his testimony and supporting papers (Dkt. Nos. 444-46) and with this Court's scheduling order (Dkt. No. 437), which made Gonzalez's answering papers with respect to the motion to compel due seven days after service of the moving papers upon him. The notice further attests that the same papers were served on Gonzalez via email, on October 7 and 26, 2021, using the email address that Gonzalez had provided to McKenzie's counsel and used to communicate with counsel on October 11, 2021.

No answering papers have been received from Gonzalez. It is hereby ORDERED, *sua sponte*, that Gonzalez's time to file his answering papers is EXTENDED to **November 19, 2021**. Thereafter, the motion to compel will be considered unopposed. It is further ORDERED that McKenzie shall promptly serve a copy of this Order on Gonzalez by email, using the email address that Gonzalez provided to McKenzie's counsel, and file proof of such service on the docket.

Dated: November 12, 2021
New York, New York

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge